

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

TANISHIA SAVANNAH WILLIAMS,  
Petitioner,  
v.  
MICHAEL PALLARES, Acting Warden,  
Respondent.

No. 2:20-cv-01519 GGH P

ORDER AND FINDINGS AND  
RECOMMENDATIONS

Petitioner, a state prisoner proceeding pro se, has filed a petition for writ of habeas corpus pursuant to 28 U.S.C. §2254. The matter was referred to the United States Magistrate Judge pursuant to 28 U.S.C. §636(b)(1) and Local Rule 302(c).

On July 3, 2020, petitioner filed a petition for writ of habeas corpus. ECF No. 1. On August 7, 2020, the court granted petitioner thirty days to file a motion for stay and abeyance pursuant to Rhines v. Weber, 544 U.S. 269 (2005) based on a failure to exhaust state court remedies. ECF No. 3. Petitioner was further “warned that failure to file a motion for stay and abeyance within the court’s deadline will result in a recommendation that this action be dismissed as unexhausted. Id. at 3. Petitioner has not responded to the court’s orders, nor taken any action to prosecute this case.

Moreover, review of the case docket indicates the copy of the court’s August 7, 2020 was served by mail on Petitioner on two separate occasions and returned on August 25, 2020 and

1 September 9, 2020 as undeliverable. However, pursuant to Local Rule 182(f), service at the  
2 address listed on the docket remains fully effective in the absence of a notification of change of  
3 address.

4 In accordance with the above, IT IS HEREBY ORDERED that the Clerk of the Court  
5 shall assign this case to a district judge.

6 Further, IT IS HEREBY RECOMMENDED that this action be dismissed, without  
7 prejudice, for lack of prosecution and for failure to comply with the court's order. See Fed. R.  
8 Civ. P. 41(b); Local Rule 110.

9 These findings and recommendations are submitted to the United States District Judge  
10 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days  
11 after being served with these findings and recommendations, petitioner may file written  
12 objections with the court. The document should be captioned "Objections to Magistrate Judge's  
13 Findings and Recommendations." Failure to file objections within the specified time may waive  
14 the right to appeal the District Court's order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

15 Dated: September 28, 2020

16 /s/ Gregory G. Hollows  
17 UNITED STATES MAGISTRATE JUDGE  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28